

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

In re:
JAMES E. MILLER, JR.,
dba Z & J INVESTMENTS,
Debtor.

Chapter 13
Case No. 13-23446-BEH

STATEMENT OF DEFAULT AND CERTIFICATE OF SERVICE

Bayview Loan Servicing, LLC, as servicer for The Bank of New York Mellon f/k/a The Bank of New York, as Trustee (CWALT 2007-25), through its attorneys, O'Dess and Associates, S.C., pursuant to the Order dated November 14, 2016, in support of its request for relief from automatic stay, co-debtor stay, and abandonment states as follows:

1. That he is one of the attorneys for Bayview Loan Servicing, LLC, as servicer for The Bank of New York Mellon f/k/a The Bank of New York, as Trustee (CWALT 2007-25).
2. That on November 14, 2016, the Bankruptcy Court entered the Order on the parties' Stipulation resolving the Motion for Relief from Automatic Stay, Co-Debtor Stay and Abandonment.
3. Under the terms of the Order, Debtor agreed to resume making monthly mortgage payments beginning December 1, 2016, and that if Debtor failed to timely make any payment during the "doomsday" period from December 1, 2016, through May 1, 2017, the Court

Drafted by:

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shall grant relief from automatic stay, co-debtor stay, and abandonment of the estate's interest in the subject property.

4. Debtor further agreed that in the event mediation was unsuccessful Debtor shall submit an amended plan within 14 days of the filing of the mediator's final report to surrender the property or pay the arrears in full.

5. Mediation was unsuccessful and the mediator filed his final report on March 7, 2017. To date, debtor has not filed an amended plan either surrendering or paying arrears in full.

6. Debtor is due for the post-petition mortgage payments which came due March 1, 2017, through April 1, 2017, at \$3,998.24, each.

7. That the undersigned is making this statement for purposes of obtaining an order from the Court lifting the automatic stay, co-debtor stay, and for abandonment of the estate's interest in the property located at 2567 South 92nd Street, West Allis, Wisconsin 53227.

CERTIFICATE OF SERVICE

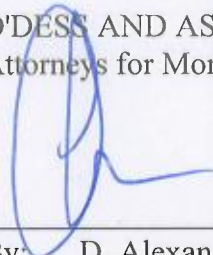
The undersigned certifies that on this 26 day of April, 2017, he caused a copy of this notice of mortgage payment change to be served by U.S. mail on Debtor James E. Miller, Jr., at 6635 North 113th Street, Milwaukee, Wisconsin 53222, and Co-Debtor Hazel B. Miller, at 6635 North 113th Street, Milwaukee, Wisconsin 53222, and P.O. Box 18205, Milwaukee, Wisconsin 53218, and by electronic means *via* CM/ECF on debtor's counsel, Clifton G. Owens, and Mary B. Grossman, Chapter 13 Trustee and the office of the United States Trustee.

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Dated in Wauwatosa, Wisconsin on this 26 day of April, 2017

O'DESS AND ASSOCIATES, S.C.
Attorneys for Mortgage Creditor


By: D. Alexander Martin
State Bar ID No. 1046591

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O'Dess and Associates, S.C., is attempting to collect a debt and any information obtained will be used for that purpose.

If you have previously received a Chapter 7 Discharge in Bankruptcy, this correspondence should not be construed as an attempt to collect a debt.

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